POWER PLANT SITE INQUIRY PROPOSED

close Interests Back of Opposition.

SENATOR MARTIN IS NOT AN OPPONENT OF PROJECT

He Says, to the Location as Selected.

An investigation into the causes for ed central heating plant was asked for today by Representative lution to empower a subcommittee of the investigation. When asked why he introduced this resolution Representa-

tive Crosser said:

'I think the Potomac Electric Light and Power Comany is largely responsible for the protests which are being made by the American Institute of Architects. In order to make myself sure and to settle the question. I have introduced a resolution and am prepared to back it up."

Provisions of Resolution. The first two paragraphs of the Cros

ser resolution outline the details of the appropriation for the central heat-

clares:
"Active efforts are being made, for motives and reasons not fully disclosed,

motives and reasons not fully disclosed, to prevent the construction of the said plant, and misrepresentations of the most dagrant character are being published to the people of the United States concerning the power plant.

"Therefore, a subcommittee of the House District committee is hereby authorized and directed to make an immediate and thorough investigation into the causes and reasons back of and inspiring the efforts to prevent the earrying out and execution of the will of Congress in the construction of the said plant and to ascertain what persons, organizations or corporations are said plant and to ascertain what persons, organizations or corporations are responsible therefor, and whether any person, firm or corporation will be benefited by the postponement of the construction of this plant or the repeal of the legislation authorizing its con-

Senator Martin for Plant.

the proposed central power and heating plant for the government on the site selected at the foot of 14th street." said Senator Martin of Virginia to-Senator Martin is chairman of day. Senator Martin is chairman of the Senate appropriations committee and also chairman of the conference committee which now has before it the urgency deficiency bill, in which the Senate placed the Newlands amendment prohibiting the construction of the central plant until the fine arts commission and the President had given their approval of the plan.

"I have visited the site," continued Senator Martin, "and to my mind there are no valid reasons why the construc-

are no valid reasons why the construc-tion should not go on. Of course, I look at the matter from the view point of a layman, but I do not see how the erec-tion of the power plant will injure the appearance of the city. As a matter of fact, by the erection of this plant the number of smokestacks which now belch

"I do not say that this particular site should have been selected, but now that it has been, I do not see any reasons for objecting to the plan."

Senator Martin's view of the matter will probably have much to do with the final decision of the conference committee and of Congress.

Senate Adopts Measure for Enlarging Navy Yards and Increasing Academy Classes.

President Wilson will have an im mediate opportunity to approve the first of the national defense measures, the Senate today having passed the resolution making \$600,000 available for re-equipping Mare Island and New York navy yards and the bill increasing by 300 the entrance class at Annapolis Naval Academy. They passed the House Monday. Senator Tillman asked for the adop-

tion of a House joint resolution author-lzing the expenditure of certain funds at the navy yards at New York and Mare Island to enable the construction of the largest dreadnaughts.
Senator Lodge of Massachusetts spoke

BILL CALLS FOR CHANGES

Measure Adopted by House Provides Rearrangement of Patent Office Examiners.

The House today passed the Morriso bill providing for a rearrangement of

THINKS NEW YORK EXAMPLE FOR D. C.

City in Power Plant Controversy.

SAYS PARKS ARE KEPT FROM ENCROACHMENTS

Unable to See Any Valid Objection, Shows How Fine Arts Commission Holds Up Projects Tending to Mar Their Beauty.

"Washington may well take inspira the present agitation in regard to the tion and guidance from New York city in respect to the preservation of its park areas and in firm reliance upon its commission of fine arts for ap proval or disapproval of plans for al the House District committee to make public structures," says Richard B. Watrous, secretary of the American Civic Association, who was in New there with a condition that he regards as quite parallel to the present situa tion in Washington concerning the erection of the proposed central heat ing plant on the banks of the Potoma

> "New York city has constantly to be on the alert to prevent invasions of it park areas. Not a year passes when some move is not proposed to erect some public structure in that rare bits Hall that the city Hall." some public structure in that rare bit of park area down in the City Hall Square. Never a year passes when there are not two or three propositions looking toward the utilization of Central Park for some kind of a structure, but New York always rises in resistance to such invasions.
>
> "They say over there that parks are to be reserved exclusively for parks, that they belong to all of the people and must not be invaded for the erection of any public or private structures.

How Pageant Was Halted.

"Only recently New York put a stop to move to use Central Park for a brilliant pageant, which while of very general inpageant, which while of very general in-terest would nevertheless have been a use of a park for private and not for gen-eral purposes. The gratifying feature of that incident was that those who had pro-posed the use of the park for the pageant accepted the position and admitted that they were in the wrong and made other

arrangements.

"Just now there is a situation that is parallel with the Washington situation and its proposed heating plant. Tentative plans had been made for the erection of a pumping station in Morningside Park, and a permit had been given by the park board for the erection of a temporary structure. It was discovered recently that the building as going up was apparently to be as going up was apparently to be

ing as going up was apparently to be permandent.

"No plans for a permanent structure had been approved and on Monday Commissioner Cabot Ward, president of the park board, peremporlly ordered the work discontinued and in so doing he called attention to the fact that the same mistake had been there as had been made in Washington, namely, that the approval of the New York art commission had not been secured as in the instance of Washington the approval of the commission of fine arts had not been secured.

"In a public interview Mr. Ward aid: 'I was astonished to note the permanent aspect of the structure and the great height that it had reached.
The law is clear in requiring the approval not only by the park commission, but by the art commission, of all

to find a solid steel frame structure of great height, which bears all the earmarks of being permanent. Let me remind you that no permanent structure can be erected in the parks of the city of New York unless the design of all working plans, elevations, etc., are submitted to the park commissioner, and if approved by him the approved of the park commissioner of the park commissioner of the park commissioner.

missioner, and if approved by him the approval of the park commission must have also been obtained before any work can be begun. No plans of the structure have ever been submitted to this department for approval.

"Until such time as plans have been submitted and duly approved the work at this point must cease, unless your board can give me written assurance that this in fact as well as in name is a temporary structure which will be entirely demolished in due time. In passing upon such plans as you may entirely demolished in due time. In passing upon such plans as you may submit two conditions are paramount. First, that the building be low and occupy the least amount of park space possible; second, that from an architectural standpoint it be worthy of the city and so erected as to conform readily to the landscape features of the park.

"The action by Mr. Ward illustrates the positive manner in which New York

of the largest dreadnaughts.

Senator Lodge of Massachusetts spoke briefly of the necessity of the adoption of this resolution, pointing out that the last two dreadnaughts, authorized a year ago, had been held up because the facilities at these two navy yards were not sufficient to permit their construction. The resolution was then adopted.

The action by Mr. Ward illustrates the positive manner in which New York proceeds for the protection of its parks. In connection with the art commission of New York, it should be said that their durisdiction over plans for public structures applies to every public edifice or structure erected anywhere in the city of New York, whether it be in park area or not; not even a lamp post or fire alarm box can be erected and paid for by the

city until the plans have been approve by the art commission. There Will Be No Smokestacks.

"It is admitted that there is a need for the pumping station in the locality roads was inegligible.' This had been proposed, but it is safe to say that own words, 'negligible.' This had been new York will insist that the pumpheld adequate by the commission in 1910." far as possible concealed by rocks and shrubs so as not to interfere with the appearance of the park, and there will be no high and objectionable smokestacks. Washington with its present problem may well follow in the footsteps of New York city, which has for

scription and the War" at the Public the Treasury Guards. This organization was a provisional one, raised to under the auspices of the socialist party. The public is invited.

ACCUSES BRANDEIS OF BREAKING FAITH

House Resolution Aims to Dis- R. B. Watrous Cites Empire Iowa Railroad Commissioner Says Supreme Court Nominee Was Unprofessional.

> ARGUED FOR RAILROADS, NOT SHIPPERS, HE SAYS

Clifford Thorne Before Senate Subcommittee Which Is Investigating the Appointment.

Investigation of President Wilson's nomination of Louis D. Brandeis of Boston to the Supreme Court of the United States bench was begun today by a Senate subcommittee, which first York yesterday and became acquainted heard Clifford Thorne, chairman of the Iowa board of railroad commissioners, who was associated it over with Chairman Harlan. "It is the desire of the commission that you open the argument for the public and I will close. Between will come the

this committee was guilty of in-

Thorne.

At the beginning of the hearing the subcommittee voted down a proposal to have the full committee hear the case. That was regarded by some as a first victory for Mr. Brandeis, on the ground that the subcommittee was favorable and the full committee hostile. The full committee, will act vorable and the full committee nostile. The full committee, however, will act on the subcommittee's report, and senators who are not on one side or the other professed to see no particular significance in the action.

Tells of Brandels at Hearing.

Long before the hearing began the ommittee room was packed with riends of Mr. Brandeis. The subcom mittee conducting the hearing was composed of Senators Chilton, chair-Walsh, Fletcher, Cummins and

ton the approval of the commission of fine arts had not been secured.

"In a public interview Mr. Ward said: 'I was astonished to note the permanent aspect of the structure and the great height that it had reached. The law is clear in requiring the approval not only by the park commission, but by the art commission, of all plans for permanent structures in parks before the work may be begun.

Why He Called a Halt.

"In his letter to the board of water supply Mr. Ward says:

"In regard to the structure now being erected in Morningside Park by your board I have up to the present time assumed in good faith that the building was of an entirely temporary nature, in accordance with the permit granted by this department. I am astonished to find a solid steel frame structure of great height, which bears all the earnings. Senator Walsh said he did not think observance of witnesses or their manner of testifying was necessary.

He thought members attended the sungestion. The full committee, whereupon Senator Clark moved that the bearings. Senator Cummins approved the testimony if members attended the sungestion. The full committee who did not take part in the inquiry could be thoroughly informed of all important facts by the subcommittee. Senator children said he did not have the power to take such action without consulting the full committee, whereupon Senator Clark moved that the bearings be held by the full nommittee in order to expedite the incommittee in order to expedite the intended that the bearings be held by the full nommittee in order to expedite the intended that the bearings be held by the full nommittee in order to expedite the intended that the bearings be held by the full nommittee in order to expedite the intended that the bearings be held by the full rommittee in order to expedite the intended that the bearings beard to avert the necessity of surpression. Senator Cummins approved the surgestion. The full committee in order to expedite the intended that the bearings beard to avert the necessity of surpres

Assisted in Freight Rate Cases. Mr Thorne was the first witness. He told of his connection with shippers and state railroad commissioners' or ganizations opposing increases in freight rates to the eastern roads be fore the interstate commerce commission in 1910 and 1913. He said that he was first asked to participate in the 1913 case by Mr. Brandels. Thorne declined, but later agreed, when Henry Martin of Kansas withdrew from the case to become vice governor of the Philippines.

The interstate commerce commission, find amental interstate commerce commission, and more to the railroads, and plant was that the public should pay more. Thorne agreed that was a fair statement. "Mr. Brandels contended the passenger rates should be increased and that the mail pay should be increased," explained Mr. Thorne. "Those would have added additional burdens to the public."

e of the greatest cases of this gen-

one of the greatest cases of this ceration.

"In the second place, in open court hearing, while acting as special counsel, Mr. Brandels committed himself to the proposition that the net return of 7½ per cent above all expenses, all interest on debts, on capital stock of railroads was inadequate, or, to use his own words, negligible." This had been words, negligible."

Reviews Big Rate Cases.

far he should go into details, but began a review of proceedings in the big rate cases. Mr. Brandels, he said, character-

FRENCH RADIO STATION IN OPERATION NEAR SALONIKI.



shippers are chiefly interested in their specific commodities and I have talke against giving the eastern railroads increased freight rates. Mr.
Thorne assailed the conduct of
Mr. Brandeis in that case.

"I believe the nominee before

"I believe the nominee before

"I believe the nominee before the rail control of the properties of the support of the

this committee was guilty of infidelity, of breach of faith and of unprofessional conduct in connection with one of the greatest cases of this generation," he said.

Tells of Brandeis' Argument.

Thorne charged that Brandeis, as an attorney appearing for the shippers, conceded that the rate return to the railroads was inadequate, and that Brandeis, in his opening oral argument to the interstate commerce commission, conceded that the returns twee inconsistent with prosperity of the railroads and welfare of the public. "I was simply dumfounded," declared the roads were not earning enough for the beginning of the hearing the subcommittee voted down a proposal that the public will be a proposal that the public will be a proposal that the beginning of the hearing the subcommittee voted down a proposal that the public will be a proposal will be a proposal that the public will be a proposal that the public will be a proposal will be a proposal will be a proposal that the public will be a proposal will be a prop

"At the opening of Mr. Brandeis oral argument, he made this stateoral argument, he made this state ment," began Mr. Thorne, reading from the record:

Dumfounded by Brandeis' Statemen tions are bad in Central Association territory and also other roads because of the Central Association scales.'
"I was simply dumfounded by the statement," declared Thorne. "For four years the railroads had been fighting to establish that before the interstate commerce commission. They had cartions are bad in Central Association tack, capturing, as reported by Berlin, about 1,500 yards of French positions.

The text of the German statement of today follows:
"Western theater: West of Vimy our troops stormed first line French positions over an extension of 800 metres. mmerce commission. They had car commerce commission. They had carried on a nation-wide propaganda in newspapers, magazines, speeches and every conceivable manner—I am not saying dishonestly."

"I was dumfounded to hear at the conclusion of this great case, involving \$50,000,000 annually, interest on a billion dollars—If you adopt the standard of dollars and cents—the greatest case ever tried before a human tribunal since the dawn of civilization—to he counsel concede the very point at issue at the time the case was set down for

at the time the case was set down for

Senator Walsh contended that Thorn

concerned net revenue. statement that his position before the commission was that the net revenue, notwithstanding any unscientific management, was adequate, and that Mr. Brandeis position was that the net revenue was inadequate and should be increased by charging for certain special services.

There was some shelling by both sides during the day between the Rivers Ancre and Somme and north of La Bassee canal. There was considerable artillery activity about Loos."

French Official Statement.

cial services.

Senator Cummins inquired if Thorne's position was that the public should pay no more to the railroads, and Brandels'

The interstate commerce commission, he said, indicated the fundamental question to be determined was: "Are the railroads entitled to more revenue, and, if so, where shall the revenue be secured?" Then Mr. Thorne stated that his appearance before the committee was not at his own instance, but at the request of Chairman Chilton. "At the outset two facts stand out, it appears to me," Mr. Thorne declared. In the first place I believe the nominee before this committee was guilty of infidelity, of breach of faith and of unprofessional conduct in connection with one of the greatest cases of this gen-TO SPEED UP CONGRESS

Republicans and Democrats Alike Are to Be Called Into Conference.

fense plans. He conferred with Repre sentatives Hay, Dent and McKellar of the House military committee in an effort to Mr. Thorne said he was uncertain how bring about an agreement on an army bill

To Consult Republicans.

In accordance with his policy of work-

"Mr. Brandels said to me," said the erection of a statue of President Thorne, "in substance this: 'You and I Buchanan on public land in Washinghave tried to master this case as a committee on library, of which Representative of the sentative Slayden of Texas is chairman.

GERMANS STORM FRENCH POSITIONS

Claim Capture of 800 Yards of Trenches to the West of Vinny.

HAVE MOVED 600,000 MEN TO WEST, IS CLAIM

Allies Report Successful Artillery Operations-Fierce Mine Fighting in the Argonne.

BERLIN, February 9, via London, French positions over a front of 800 yards to the west of Vimy was an-The German attack was made near the western end of the French front, a "'On the whole the net income and der, in the region which has been the net operating revenue in official classi- scene of pronounced activity recently. fication territory are smaller than are Vimy is two miles northeast of Neuonsistent with their prosperity and ville, near which town the Germans the welfare of the public, and condi- late last month made an infantry at-

The text of the German statement of today follows:
"Western theater: West of Vimy our troops stormed first line French positions over an extension of 800 metres, securing more than 100 prisoners and five machine guns.
"South of the Somme the French again penetrated during the evening a small German trench section.

LONDON, February 9.—Reiterating Power Company was introduced in the man troops have been transferred re- Pennsylvania. cently to northern France, the Amsterhad not made himself clear as to Mr.

Brandels' position. The issue the senator thought was the gross revenue and not the net. Mr. Thorne insisted that the issue before the commission of Zeebrugge so that it will shelf. ter more ships.
The British official statement issued
Thorne agreed with Senator Walsh's last night on the campaign in the west

Rivers Ancre and Somme and north of La Bassee canal. There was considerable artillery activity about Loos."

French Official Statement.

The following French official communication was issued by the war office last night:

"In Artois a rather intense artillery duel has occurred northeast and southeast of Neuville St. Vaast. South of the Avre we dispersed an infantry column near Lassigny.

"North of the Aisne the fire of our batteries caused heavy damage to the enemy works in the region north of Troyon and on the plateau of Vauclere. North of Berry-au-Bac we took under our fire troops in transit.

"In the Argonne mine fighting continues to our advantage. At Les Courtes Chausses we fired three camoufiets, which shattered works of the enemy, and we exploded a mine at La Fille Morte.

"In the Vosges our artillery born."

The following French official communication was issued by the consolidation. After the transaction has been record a defert the transaction has been record at the capital stock of the power company for the Senate last week, the Washington Railway and Electric Company new owns \$6,000,000. The amount of capital stock of the Washington Railway and Electric Company is \$15,000,000.

ARRAMY CASE TO PRESIDENT.

Secretary Garrison Has Renewed Proceedings of Goodier Trial.

Secretary Garrison has announced that he had completed his review of the proceedings of the court-martial in the sase of Lieut. Col. Lewis E. Goodier of the capital stock of the power company for the year 1915, which was submitted to the Senate last week, the Washington Railway and Electric Company new owns \$6,000,000. The amount of capital stock of the Power company is \$6,000,000. The amount of capital stock of the Washington Railway and Electric Company is \$15,000,000.

According to the annual report of the According to the approach of the year 1915, which was submitted to the Senate last week, the Washington Railway and Electric Company is \$10,000.

Railway and Electric Company is \$10,000.

Railway and Electric Company is \$10,000.

Ra

Morte.

"In the Vosges our artillery bombarded the enemy cantonments at Stossvihr, northwest of Muenster, and Hirtzbach, south of Altkirch. In the afternoon a long-range German gun dropped three shells on Belfort and its environs. We shelled the military establishments at Dornac, near Milhausen."

President Wilson today began efforts to speed up Congress on the national de-OF "AT HOMES" TODAY

Educational Department of Y. W.

see assuming force in the passet expected mother passet of the seed of the public coils see the other was taken Representative Mann of Illinois took the factor of the vote was taken Representative Mann of Illinois took the public coils see the other was taken Representative Mann of Illinois took the public coils see the public coils see the other was taken Representative Mann of Illinois took the public coils see the other was taken Representative Mann of Illinois took the public coils see the other was taken Representative Mann of Illinois took the public coils see the public coils see the other was taken Representative Mann of Illinois took the public coils see the public coils see the public coils see the the public coils see the public coils seed to the seed of the seed to the see

exhibition last night. The association the Church of the Epiphany, on G street between 13th and 14th streets, and even this proved inadequate to accommodate all those who came to see the demonstration of the training received in the physical department of the association. There was standing room only, and very little of that.

This exhibition was under the personal direction of Miss Helen Wyman. Arrangements were made by a committee of which Mrs. John Benby Hird was chairman. She was assisted by Miss Helen Say, Mrs. Thomas Schearman, Miss Helen Devereaux, Mrs. M. M. Harvey, Mrs. Ware Anderson, Dr. Ada Thomas and Dr. Mary Holmes.

More than fifty girls took part in the gymnasium work, which included calisthenic drills, basket ball, tennis, posture work, esthetic and folk dancing.

In the basket ball game the "Greens" defeated the "Blacks," 8 to 1. Dance Figures Presented.

Mrs. Carol Delinger gave a Spanish lance, Miss Burnetta, Black presented a solo dance, and Miss Grimsley and Mrs. Taylor executed an exercise in the form of a couple dance for correcting round

of a couple dance for correcting round shoulders.

Three young business girls' clubs gave folk dances. The Woodward & Lothrop Club presented "The Ace of Dlamonds," the Goldenbarg's Club, "Oseborgar," and the Kann's Club, "Goseborgar," and the Kann's Club, "Groups of Y. W. C. A. members presented several features, including "Narcissus," by the beginners' esthetic class, "Waltz of the Flowers" and "Humoresque" by the advanced class, and two numbers by the esthetic classes, "Kinderpolka" and "Rhine-lander."

The Chited States government and in volve the dispatch of the proposal again to the Berlin foreign office. One of the Berlin foreign of the C

lander."
An exhibition of Swedish gymnastics, a sailor's hornpipe and a basket ball game between picked "gym" classes were interesting numbers.

about 1,500 yards of French positions. The text of the German statement of today follows: BILL PROPOSES A MERGER

Authorizes Consolidation of W. R. & E. Co. and Potomac Electric Power Co.

A bill to authorize the consolidation of the Washington Railway and Electric Company and the Potomac Electric

the report that large numbers of Ger- Senate today by Senator Oliver The bill provides that the Washing dam correspondent of the Central News ton Railway and Electric Company shall telegraphs that it is reported from be authorized to acquire, use and oper-

> corded capital stock must give their consent before the transaction is consummated.
>
> It also provides that the existing liabilities of the power company and the rights of its creditors shall in no way be prejudiced by the consolidation.
>
> After the transaction has been record-

case of Lieut, Col. Lewis E. Goodier of the judge advocate general's department, stationed at San Francisco, and had submitted the case, with his rec ommendation, to the President, who will determine, he said, whether the sentence of the court shall be approved or disapproved. He explained that final action in the case by the President is ecessary, for the reason that he ordered the officer's trial by court-mar-

Col. Goodier was tried on the general Col. Goodler was tried on the general charge of conduct to the prejudice of good order and military discipline because of alleged interference with the administration of affairs at the Aviation School and depot at San Diego, in charge of Capt. Arthur S. Cowan of the Signal Corps.

The result of the trial, Secretary Garrison said, would not be made public until after the President acts on the case, and Mr. Garrison declined to say whether the developments of the case were likely to result in an investigation of the aviation service of the army.

SOON TO COMPLETE D. C. LIQUOR VOTE

Germany's Latest Proposal Attorney for the Anti-Saloon Substantially Satisfactory to United Sates.

NOTICE OF THE CHANGES FORWARDED TO BERLIN

Further Diplomatic Correspondence Is Confidently Predicted.

Germany's latest proposal in n a few days. One of the changes in the Lusi-

tania agreement suggested by the Church of the Epiphany, on G Secretary Lansing to Count von Bernstorff, the German ambassador, is the substitution of the words "recognizes liability" for traffic. the words "assumes liability," which were employed in the

It is understood that upon this change and others described also as minor is based the expressed view of high offi-cials that the two governments are "substantially in accord," although not "substantially in accordance wholly so.

No new difficulty is expected here from the change of words. It is felt that Germany could not or would not assume a liability which she would not

Minor Changes to Be Made.

Alterations, however, in the form of the agreement, regarded as minor ones are to be made to meet the wishes of the United States government and in volve the dispatch of the proposal again

The ambassador afterward submitted the whole matter by cable to the Berlin government for final approval.

Count von Bernstorff informed the Secretary that he saw no reason why the changes could not be made, but, as a precaution, he thought he would be justified in submitting the entire matter to his government for final approval. He did so in a dispatch sent to Berlin last night, and within about six days the resulting formal communication is expected. The ambassador decided not to change even the punctudecided not to change even the punctu-ation of the document without the aproval of his government. He had not deemed it necessary, it is said, to include the statement that the

said, to include the statement that the communication was in answer to the American note, considering that the same end would be accomplished by submitting it in the form of a memorandum. Administration officials hold, however, that to keep the record straight, if for no other reason, mention that the communication is a reply should be made.

Concessions by Germany.

Germany agrees in the proposed com nunication that reprisals should not be directed at other than enemy subjects, expresses regret and assumes liability for the American lives lost in the that happen also in the case of a Lusitania disaster, offers reparation in erendum in the District of Colum Lusitania disaster, offers reparation in the form of indemnity and declares that the submarine warfare in the zone around the British Isles has been modified out of regard for the long-standing friendship for the United States, and because American citizens have lost provision in the federal Constitution.

"Congress has never heretofore yielded

The communication also calls attention The communication also calls attention to previous assurances that liners shall not be sunk without warning and without provision for the safety of non-combatants, and that the instructions given to submarine commanders in this respect have been made so stringent that there can be no recurrence of such incidents.

Statement by Prominent Official. A high official of the administration

nade this announcement: "A settlement of the Lusitania case is "A settlement of the Lusitania case is in sight, probably within the next few days. The United States has not increased its demands; it has not reduced them. You can draw your own conclusion as to the basis of the agreement. The wording proposed by Germany appears to cover the position of the United States. It is not fair to assume that there will have to be any further admissions or concessions from Berlin."

Berlin." He added that the proposal was "sub-In Teutonic diplomatic circles today the belief was expressed that the pr posed changes would be accepted by the Berlin foreign office.

SHIP'S STAY INDEFINITE, IS GERMANY'S CONTENTION

for Captured Liner Appam Under Prussian Treaty.

treaty, to remain in American waters indefinitely, and in support of her position Count von Bernstorff, the German ambassador, has presented to Secretary ambassador, has presented to Secretary
Lansing a formal communication on behalf of the Berlin foreign office.

The United States has decided that the treaty guarantees the ship to the Germans as a prize, as against her return to her British owners, but it has not decided how long she shall be permitted to remain in American waters.

The United States has decided that the treaty guarantees the ship to the Germans as a prize, as against her return to her British owners, but it has not decided how long she shall be permitted to remain in American council the annual meeting is to be

G. A. R. Lincoln's Birthday Plans. A program of speeches, recitations and anecdotes on Lincoln will be a feature of the celebration of the 107th anniversary of Abraham Lincoln's birth by John A. Rawlins Post, No. 1, G. A. R., Friday evening at G. A. R. Hall. It is the annual custom of the post to celebrate the anniversary of the former President's birth.

Brings in Rescued Crew.

NEWPORT NEWS, February 9 .- The British steamer Penlee arrived at New-

CASE OF LUSITANIA NOT LEGAL, HE SAYS

League Explains Opposition

INSISTS ALL AMERICANS HAVE AN EQUAL INTEREST

to Proposed Referendum.

Adjustment of Controversy Without | Points Out Also That No Machinery for an Election Is in

Reasons why the advocates of prohib!the Lusitania case having proved, posed to the referendum in the matter tion for the District of Columbia are opin substance, satisfactory to the the District prohibition bill were set forth by W. B. Wheeler, attorney for the Anti-United States, final settlement of Saloon League of America, at a meetthe controversy is expected with- ing of the "dry" workers at noon today.
Mr. Wheeler claimed the District of Mr. Wheeler claimed the District of Columbia is made the seat of government by the Constitution and belongs to the whole people of the United States, and he questions the right of residents only, not electoral citizens under any laws in existence, to dictate legislation that affects property rights, buildings and contents that belong to

Has Exclusive Jurisdiction

"Congress," he said, "has exclusive jurisand any referendum of legislation for the government of the District could be of legal effect only as a petition for or against a proposed act of Congress. Such a vote by residents of Washington," he says, "was recorded in 1852, favoring prohibition of the liquor traffic by a large majority, and was totally disregarded by

Congress."
"A referendum election in the Dis-trict," he contended, "is not only im-Trict," he contended, "is not only impracticable, but it would be a farce. There is no election machinery and no standard of qualification for the electorate, and to secure a referendum for any given purpose would requir-the creation of an electorate with qualifications, registration and all the omplex mechanism of a suffrage sys

acquired citizenship, property, social, family and moral interests in the District, because they are domiciled here or are officials or employes of the general government. This was done with the constitutional guarantee that they, their families and interests will be under the learning of the project. inder the legislation of the national

Might Lose Their Votes.

"Thousands of clerks and appointees would be forced to give up their citizenship in the states in order to vote here on one question only. The states would deny them the franchise if they voted here to protect their families from the saloon. If they did vote here and lose their citizenship in the states, many would jeopardize their positions thereby. If the people of the nation want to make the District an independently governed subdivision like a state, with adequate election machinery and safeguards to secure the rights of the public on all questions, the temperance people will meet the issue here as they have in the states.

"A referendum to the states through their legislatures to amend the national Constitution is the only method provided. A referendum to the people of the District is not only not provided, but by the precedents of court decisions is probably not authorized. Four states adopted prohibition by a referendum vote under state constitutions similar to the national Constitution on this subject matter. zenship in the states in order to vote

Laws Declared Invalid. "The supreme courts declared these were submitted to the votes of the neaple without constitutional authorit for such referendum. Why would no

its exclusive power to legislate for its exclusive power to legislate for the District to previous petitions for referendums on tax questions, educational measures, franchises, tenement houses and slum reforms; the abolition of the "red light" reservations, lotteries, gambling, race tracks or other subjects of police power. The Fiftieth Congress passed an act to prohibit the manufacture or sale of adulterated foods or drugs in the District of Columbia without referendum."

BOY SCOUTS' COUNCIL TO MEET TOMORROW

Members to Be Received at White House Preceding the Business Session.

The sixth annual meeting of the National Council of the Boy Scouts of America is to be held tomorrow at the New Willard Hotel. The Boy Scouts Berlin Foreign Office Claims Right of America is incorporated by act of Congress, which provides that the annual meeting of the organization must

be held in Washington. Officials and members of the National Germany contends that the British liner Appam brought to Hampton roads by a German prize crew is entitled, under the terms of the Prussian-American treaty, to remain in American waters that Mr. Wilson has invited the members of the council to the White House at a time when his official duties are most pressing is taken by Boy Scout workers as an indication of his interest in the Boy Scout movement.

council the annual meeting is to be To accept the German contention called to order at the New Willard by would mean that the Appam would be permitted to remain until the end of the war. To compel her departure would mean sure capture by the allied cruisers outside the Virginia capes. There is no indication of how soon a decision may be announced. tional scout commissioner. W Murray is to report for the board and give a summary of its activities during the past year. ities during the past year.

Frank Presbrey is to report on Boys'
Life, the official Boy Scout magazine,
and the activities of the book department will be the subject of a report by
the scout librarian, Franklin K.

Other Activities.

Nautical scouting is to be covered in the report of Capt. Charles Longstreth, and other reports to be received will be

as follows: Badges and awards, George J. Fisher; field department, H. D. Cross, give this fund a big impetus before the month of celebration is closed.

Need of Larger Quarters Evident.

The need for larger quarters was particularly filustrated at the gymnasium

Preside.

Little Mary Ness Van Castile will recite Walt Whitman's "My Captain."

Musical numbers will include a solo by E. Albert Lang and "The Star Spangled Banner" by Mrs. B. H. Smart of the Congregational Church choir.

British steamer Penice arrived at Newport News today with Capt. McIver and the crew of seven of the American barkentine Bruce Hawkina, which foundered in a storm 100 miles north of Bermuda also that of the chief scout executive, James E. West.